

SEP 01 2009

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

FILED

STATE OF NEBRASKA)	
DEPARTMENT OF INSURANCE,)	
)	
PETITIONER,)	CONSENT ORDER
)	
VS.)	
)	
UNITEDHEALTHCARE INSURANCE)	CAUSE NO. C-1748, 1749, 1750 and 1754
COMPANY,)	
)	
RESPONDENT.)	

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its representative, Martin W. Swanson and UnitedHealthcare Insurance Company, ("Respondent"), mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondent pursuant to Neb. Rev. Stat. §44-101.01, §44-303 and §44-4047, et seq.
2. Respondent was licensed as an insurance company under the laws of Nebraska at all times material hereto.

STIPULATIONS OF FACT

1. The Department initiated several administrative proceedings by filing the following styled petitions:
 - a. State of Nebraska Department of Insurance vs. UnitedHealthcare Insurance Company, Cause Number C-1748, on February 17, 2009.
 - b. State of Nebraska Department of Insurance vs. UnitedHealthcare Insurance Company, Cause Number C-1749 on February 17, 2009.

- c. State of Nebraska Department of Insurance vs. UnitedHealthcare Insurance Company, Cause Number C-1750, on February 17, 2009.
- d. State of Nebraska Department of Insurance vs. UnitedHealthcare Insurance Company, Cause Number C-1754, on March 12, 2009.

Copies of the aforementioned petitions were served upon the Respondent, at the Respondent's address registered with the Department by certified mail, return receipt requested.

2. Based upon consumer complaints in five files, the Department alleged multiple violations of Nebraska insurance law, specifically Neb. Rev. Stat. §§44-1539, 44-1540(2), 44-1540(3), 44-1540(4), 44-1540(7), 44-1540(8), 44-7307 and 44-7309 and Title 210, Chapter 61 §§ 004.01, 004.02, 006.01, 007.01, 008.01, 008.02 and 008.03, and 008.03.

3. Respondent was informed of the right to a public hearing. Respondent waives that right, and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving its right to a public hearing, Respondent also waives its right to confrontation of witnesses, production of evidence, and judicial review.

4. Respondent denies that they violated the statutes and regulations as denoted in paragraph 2. Additionally, Respondent avers that they have taken steps to remediate the Department's concerns with regard to the allegations denoted in the aforementioned petitions.

5. Respondent further avers that it enters into this Consent Order to bring an expedient resolution to disputed matters, does not waive any rights it may have pursuant to the multi-jurisdictional Regulatory Settlement Agreement entered into among various jurisdictions and the agreement between the Respondent and Department effective August 27, 2007 and reserves all rights to assert any legal challenges, rights, or privileges that would otherwise have been available to Respondent in any future disputes with the Department, including but not

limited to legal challenges, rights or privileges that may exist as a result of the multi-jurisdictional Regulatory Settlement Agreement, to the same extent as if this Consent Order had not been entered into by Respondent.

6. The Department acknowledges Respondent's assertion in paragraph five, however, Department avers that it has the right under both the multi-state and previous agreement of May, 2007 between the Department and Respondent to investigate and take administrative actions, if necessary, for alleged violations of Nebraska insurance law with regard to consumer complaints.

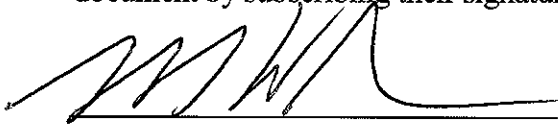
CONCLUSIONS OF LAW

While Respondent denies the allegations contained in the aforementioned petitions, the Department hereby finds that the conduct of UnitedHealthcare Insurance Company, as alleged above, constitutes multiple violations of Neb. Rev. Stat. §§44-1539, 44-1540(2), 44-1540(3), 44-1540(4), 44-1540(7), 44-1540(8), 44-7307 and 44-7309 and Title 210, Chapter 61 §§ 004.01, 004.02, 006.01, 007.01, 008.01, 008.02 and 008.03, and 008.03.

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed to by Respondent, that Respondent shall pay an administrative fine in the amount of \$15,000. The Respondent has thirty days from the date of approval of this consent order by the Nebraska Director of Insurance to pay the \$15,000 fine. The Nebraska Department of Insurance shall retain jurisdiction of this matter for the purpose of enabling the Department to make application for such further orders as may be necessary.

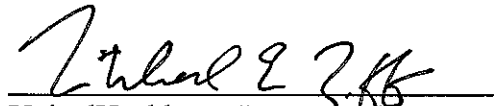
In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing their signatures below.



Martin W. Swanson, #20795
Department of Insurance
941 "O" Street, Suite 400
Lincoln, Nebraska 68508
(402) 471-2201

8/24/09

Date

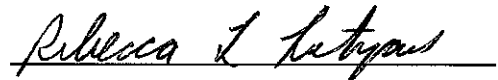
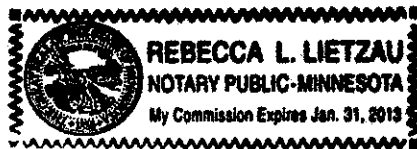

UnitedHealthcare Insurance Company
GENERAL COUNSEL

8/20/09

Date

State of Minnesota)
) ss.
County of Hennepin)

On this 20th day of August, 2009, Mitchell Zamoff
personally appeared before me, on behalf of UnitedHealthcare Insurance Company, and read this
Consent Order, executed the same and acknowledged the same to be his voluntary act and deed.

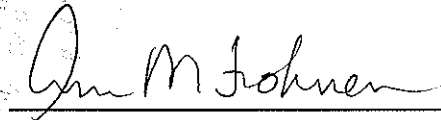


Notary Public

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs. UnitedHealthcare Insurance Company, Cause Nos. C-1748, 1749, 1750 and 1754.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



Ann M. Frohman
Director of Insurance

9/1/09
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to the Respondent at 450 Columbus Blvd, 5NB, P.O. Box 150450, Hartford, CT 06115-0450, by certified mail, return receipt requested on this 1st day of September 2009.

